

## § 30.82

the place of unloading a manifest, cargo list, freight list or equivalent document showing a detailed account of merchandise destined for Guam on board such carrier, with the numbers and description of the packages according to their usual name or designation.

(b) For each shipment imported into Guam except as listed in paragraph (d) of this section, the importer in Guam shall furnish to the Government of Guam at the port of entry of the merchandise at the time of or prior to taking possession of such merchandise, the commercial invoice covering the shipment attached to a copy of the bill of lading or air waybill signed by the carrier. (Where the shipment is one for which no bill of lading (or air waybill) is utilized only a copy of the commercial invoice need be furnished.) In individual cases, where warranted in the opinion of the Government of Guam, the Government of Guam may release merchandise to the consignee prior to receipt of the commercial invoice and/or bill of lading or air waybill in the case of perishable articles or other merchandise, the immediate delivery of which is necessary.

(c) Information concerning individual transactions furnished to the Government of Guam pursuant to these regulations may not be disclosed by those having possession of or access to any copies of such information for official purposes, to anyone other than the exporter or importer except as specifically directed by the Bureau of the Census.

(d) The following kinds of shipments are not to be included in the statistics on shipments from the United States to Guam and the documentation prescribed in paragraphs (a) and (b) of this section shall not be required for statistical purposes:

(1) Shipments to the U.S. Armed Forces;

(2) Shipments of office furniture, office equipment, and office supplies, to and for the exclusive use of U.S. Government offices;

(3) Baggage and personal effects, accompanied or unaccompanied, of persons leaving the U.S., and tools of trade, as described in § 30.56(a) and (b).

## 15 CFR Subtitle B, Ch. I (1-1-05 Edition)

### § 30.82 Identification of U.S. merchandise returned for repair and reexport.

Import entries covering U.S. merchandise imported temporarily for repair or alteration and reexport are required to show the following statement: "Imported for Repair and Reexport."

### § 30.83 Statistical copy of mail and informal entries.

A legible copy of all mail and informal entries is required for statistical purposes. In addition to the information required to be shown for customs purposes, the value is also required to be shown for all merchandise including that not subject to duty.

## Subpart H—General Administrative Provisions

SOURCE: 41 FR 9134, Mar. 3, 1976, unless otherwise noted. Redesignated at 64 FR 40977, July 28, 1999.

### § 30.90 Confidential information, import entries and withdrawals.

The contents of the statistical copies of import entries and withdrawals on file with the Bureau of the Census are treated as confidential and will not be released without authorization by the Bureau of Customs and Border Protection, in accordance with the policy set forth in 19 CFR 103.4 (CBP Regulations) relating to the copies on file in CBP offices.

### § 30.91 Confidential information, Shipper's Export Declarations.

(a) *Confidential status.* The Shipper's Export Declaration is an official Department of Commerce form, prescribed jointly by the Bureau of the Census and the Bureau of Industry and Security. Information required thereon is confidential, whether filed electronically or in any other approved format, for use solely for official purposes authorized by the Secretary of Commerce. Use for unauthorized purposes is not permitted. Information required on the Shipper's Export Declarations may not be disclosed to anyone except the exporter or his agent by those having possession of or access to any copy

for official purposes, except as provided in paragraph (e) of this section.

(b) *Copying of information to manifests not permitted.* Since certain types of information from the outward manifests of ocean carriers can be made public under the provisions of the CBP Regulations, carriers are not permitted to copy information to manifests (or to bills of lading used in lieu of a listing of cargo on a manifest) from Shipper's Export Declarations in their possession for official purposes, except for (1) the bill of lading number on the declaration, (2) information on the declaration which is identical with bills of lading or other sources of information available to the carrier, and (3) items of information which are required by Export Administration Regulations to be identical or consistent on both documents.

(c) *Supplying of copies by exporters for unofficial purposes not permitted.* The regulations in this part spell out precise definitions to be followed in reporting information on Shipper's Export Declarations. Strict adherence to these definitions is necessary if the official purposes for which the forms are required are to be effectively accomplished. Because of the possibility that for other purposes different definitions would be appropriate, the supplying by exporters of any copies (or of the information from copies) for any unofficial purpose is considered detrimental to official objectives and is not permitted.

(d) *Limitations on issuance and reproduction of copies.* Consistent with the policy stated in paragraph (c) of this section, and with the confidential status of the document generally, the following limitations are placed upon the issuance of copies to exporters or their agents:

(1) A copy of a Shipper's Export Declaration may be supplied to exporters or their agents only when such a copy is needed by the exporter to comply with: (i) Official requirements for presentation of a copy to the exporting carrier as authorization for export, (ii) export control requirements, or (iii) U.S. Department of Agriculture requirements for proof of export in connection with subsidy payments. Copies issued to exporters or their agents under paragraph (d)(1) (i) or (iii) of this sec-

tion will be stamped as follows by the CBP Director:

Certified pursuant to the Export Administration Regulations or to fulfill the requirements of a Federal Agency and not for any other purpose. May not be reproduced in any form.

(2) Use of copies of the Shipper's Export Declaration in connection with claims for exemption from internal revenue taxes or state taxes is not permitted.

(e) *Determination by the Secretary of Commerce.* When the Secretary of Commerce or delegate determines that the withholding of information provided by an individual Shipper's Export Declaration is contrary to the national interest, the Secretary or delegate may make such information available, taking such safeguards and precautions to limit dissemination as deemed appropriate under the circumstances. In recommendations regarding such actions, the Bureau of the Census will, in general, consider that it is not contrary to the national interest to withhold information on Shipper's Export Declarations from private individuals or businesses (except the exporter or the agent of the exporter) or from state or local government agencies or officials, regardless of the purposes for which the information may be requested. In recommendations regarding any other requests for access to official copies, a judgment in the light of circumstances will be made as to whether it is contrary to the national interest to apply the exemption, keeping in view that the maintenance of confidentiality has in itself an important element of national interest.

(13 U.S.C.302; and 5 U.S.C. 301; Reorg. Plan No. 5 of 1950, Department of Commerce Organization Order No. 35-2A, August 4, 1975, 40 FR 42765)

[41 FR 9134, Mar. 3, 1976, as amended at 47 FR 7213, Feb. 18, 1982; 48 FR 52701, Nov. 22, 1983; 64 FR 40981, July 28, 1999]

#### § 30.92 Statistical classification schedules.

The following statistical classification schedules referred to in the regulations in this part are hereby incorporated by reference. Information as to where copies may be obtained is indicated. Copies are available for public